

State of South Dakota

SEVENTY-EIGHTH SESSION LEGISLATIVE ASSEMBLY, 2003

229I0082

SENATE BILL NO. 109

Introduced by: Senators Sutton (Dan), Abdallah, Albers, Apa, Bogue, Diedrich (Larry), Greenfield, Koskan, Moore, Napoli, Olson (Ed), and Sutton (Duane) and Representatives Heineman, Bartling, Garnos, Juhnke, O'Brien, Olson (Mel), Rounds, Sebert, and Solum

1 FOR AN ACT ENTITLED, An Act to allow the offer of an individual health benefit plan
2 without certain mandates.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 58-17 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 An insurer may offer an individual health benefit plan that does not meet the minimum
7 requirements of any or all of the following sections: §§ 58-17-1.1, 58-17-1.2, 58-17-30.5, 58-17-
8 62, 58-17-84.1, 58-17-98, and 58-17-107. Any offer made pursuant to this section shall disclose
9 that by accepting the offer the applicant is rejecting coverage required by law to be offered. The
10 offer, if accepted, shall be signed by the applicant, shall be contained in a separate disclosure
11 document that includes the price differential between the options available, shall describe the
12 effect of rejection, including the potential inability to purchase the rejected coverage at a later
13 date, and shall be approved by the director. Any health benefit plan offered pursuant to this
14 section shall be offered in addition to a plan meeting all the minimum requirements described in



1 §§ 58-17-1.1, 58-17-1.2, 58-17-30.5, 58-17-62, 58-17-84.1, 58-17-98, and 58-17-107.